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Attorneys for Defendant
Kellogg Company

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RYAN BARNES, as an individual, and on behalf
of all others similarly situated,

Plaintiff,

vs.

KELLOGG COMPANY a Michigan corporation,

Defendant.

No. CV 13-2768-CRB

**STIPULATION AND ORDER MODIFYING
THE CASE MANAGEMENT CONFERENCE
SCHEDULE**

Current CMC Date: October 4, 2013

Time: 8:30 a.m.

Judge: Honorable Charles Breyer

1 WHEREAS, the Court has scheduled a Case Management Conference for October 4, 2013, at
2 8:30 a.m. and has required the parties to submit a joint case management conference on or before
3 September 27, 2013 (Dkt. No. 8);

4 WHEREAS, Defendant filed a motion to dismiss on August 19, 2013 (Dkt. No. 12);

5 WHEREAS, Plaintiff filed an amended complaint on September 3, 2013 (Dkt No. 14);

6 WHEREAS, Defendant intends to file a motion to dismiss and notice the hearing for November 1,
7 2013;

8 WHEREAS, the parties believe that it would be beneficial if the Court held the Case Management
9 Conference after the hearing date for the Defendant's motion to dismiss and the Court has had an
10 opportunity to clarify what issues, if any, remain in the case;

11 ACCORDINGLY, IT IS HEREBY STIPULATED through counsel of record, subject to the
12 Court's approval, that the Case Management Conference will be continued to November 22, 2013 at 8:30
13 a.m., with the joint case management conference statement due November 15, 2013, or another date of
14 the Court's choosing.
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17 A proposed Order is attached hereto.
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1 Dated: September 5, 2013

JENNER & BLOCK LLP

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3 By: /s/ Kenneth K. Lee

4 Kenneth K. Lee

5 Attorneys for Defendant Kellogg Co.

6 Dated: September 5, 2013

7 THE LAW OFFICES OF HOWARD W.
8 RUBINSTEIN, P.A.

9 By: /s/ Benjamin M. Lopatin

10 Benjamin M. Lopatin

11 Attorneys for Plaintiff Ryan Barnes
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 9, 2013

